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HONOLULU, H. T., TUESDAY, DECEMBER 1, 1903—SEMI-WEEKLY.

WHOLE No. 2542.

JAPANESE WILL TEST THE COUNTY ACT

Want to Have the Anti-Asiatic Hackmen's Clause Invalidated by Courts.

Japanese hackmen are preparing to test the county law in the courts. Steps have already been taken and a suit will probably be filed as soon as the county law goes into effect to render invalid the license clause which prohibits any man from driving a hack unless he can read and write the English or Hawaiian language. M. Saito, the Japanese Consul General for Hawaii, has taken the matter up and an opinion has been obtained from leading counsel in the city to the effect that the obnoxious clause can be killed. It is not determined as yet whether the law is to be tested in the federal or territorial courts, but definite action will be determined upon next month.

The Japanese are especially anxious to knock out the law as soon as possible as in the past few months some twenty-five or thirty Japanese have been refused licenses because of their lack of knowledge of English. This action by the High Sheriff was not taken because of the county act but by virtue of the regulation promulgated by Supt. Boyd, while in office, which provides that:

Every hack-driver, before being licensed as such, must prove to the satisfaction of the competent authorities that he is sufficiently conversant with the English language for the conduct of his business, and well acquainted with street names, buildings, and landmarks.

The county act is intended to wipe out of business every Asiatic driver of a licensed vehicle in the city. The provision in the county law which is to be attacked is as follows:

Section 248, Chapter 56, relating to vehicles and drivers, is as follows:

"The Sheriff or Deputy Sheriff shall, before any license is issued for any passenger vehicle, inspect the vehicle for which a license is requested and the harness and the animals to be used therewith, and if he shall find the same to be in good serviceable condition, he shall deliver to the applicant therefor a certificate setting forth such fact, and the capacity of the vehicle. Such officer shall also examine any applicant for a driver's license and if he finds such applicant to be competent driver, AND ABLE TO READ AND WRITE THE ENGLISH OR HAWAIIAN LANGUAGE, HE SHALL GIVE HIM A CERTIFICATE TO THAT EFFECT."

"No license shall be issued to any driver or for any passenger vehicle until the receipt by the Tax Collector of SUCH CERTIFICATE."

Consul Saito has been in correspondence with the Japanese Minister at Washington in regard to the alleged violation of treaty rights in the discrimination against Japanese and as a result the local Japanese were advised to attack the law in the courts, before it was made a matter of diplomatic exchange between the two countries. If the law is attacked in the Federal Court, the favored nation clause in the treaty is likely to be the basis. If in the Territorial courts the question is likely to be raised as to how the ob-

QUARANTINE ISLAND WORK WILL COMMENCE SOON

Work on the new marine hospital buildings on Quarantine Island is likely to begin very shortly. Dr. L. E. Cofer received a request in the last mail for information regarding soundings in the harbor about the island, which leads to the belief that the department is preparing for the early improvement of the station.

Dr. Cofer has also been an authority to advise for the building of the buildings on the island, which electricity, and has asked for plans to be opened December 10th. The island is to be lighted either by a current from the city, connected under the harbor or else by a plant established on the island.

No definite information has been received from Washington as to the time when work will be commenced on the building. There is still some doubt as to who will do the work, although the present action of the Surgeon General indicates that the delay now will not be for long.

The following story of the Japanese is told in the Italian papers: A delegation of the monks of some monastery obtained an interview with him. According to the reports of the Japanese cardinals are allowed to sit in the Pope's presence, and an invitation from him to do so is deemed equivalent to the promise of a cardinalate. Pope Pius the Tenth is a plain man, utterly indifferent to the etiquette of the Papal court. He, therefore, begged the monks to take seats. They hardly knew whether they could venture to do so, and while they stood hesitating, he said to them: "You do not, I suppose, expect me to draw your chairs forward for you?"

QUEER WORK ILLUSTRATED

Meheula Twice Indicted for Destroying House Vouchers—Startling Revelations of Looting the Treasury—Specimen of Voucher.



S. Meheula, the Indicted Clerk of the House of Representatives.

Conjecture, surmise, rumor and suspicion all ended at once, revelation taking their places, when the Federal grand jury presented its final report before Judge Dole directly after the opening of the United States District Court yesterday morning. And whatever might have been conjectured, surmised, rumored or suspected, nothing had been publicly stated which foreshadowed a blacker picture of legislative graft than the details of House expenditures presented by the grand jury revealed.

Solomon Meheula, Clerk of the House of Representatives, had two indictments presented against him for destruction of vouchers. That he was the only one indicted is simply because the looting of the treasury shown up by the grand jury does not come within the scope of Federal law to punish. By Meheula's official position, that made him the custodian of public records, he became amenable to the statute of the United States provided for safeguarding such documents. When it was found he had paid out more than one thousand dollars, including several considerable sums to himself, without having vouchers to show authority for the expenditure, the duty of the grand jury was to investigate whether or not there ever had been vouchers for the items in question and if so what had become of them. The fact that they returned indictments for the destruction of the vouchers representing moneys paid to Meheula himself indicates that they found probable cause to convict him of destroying these records.

With regard to the receiving of public money by others than the Clerk, for which either no service or only a mere pretense of service had been rendered, the Federal grand jury was compelled to pass the facts on to the Territorial authorities for jurisdiction as coming under the Territorial laws against embezzlement, larceny, gross cheat, or whatever law, in any particular case, applied.

THE MEHEULA CASES.

In each indictment against Solomon Meheula it is charged that he being a public officer, namely, Clerk of the House of Representatives, having the custody of records, documents and pa-

pers of the House of Representatives, did have in his possession a certain voucher, a more complete description of which was unknown to the grand jury. The number of a particular warrant is then given, with the amount for which it was drawn, and then the indictment specifies how the accused committed a violation of Section 5408 of the Revised Statutes of the United States as follows:

"And these Grand Jurors do further present and show that he, the aforesaid Solomon Meheula, after the aforesaid voucher had been deposited in his custody as aforesaid, did then and there, to wit, at said City of Honolulu within said District, on said 21st day of March, 1903, wilfully, unlawfully, intentionally, knowingly, feloniously and fraudulently destroy said voucher, contrary to his trust as such Clerk aforesaid; contrary to the form of the statute in such case made and provided, and against the peace and dignity of the United States of America."

The quotation refers to warrant No. 153 for \$70 drawn March 21, and is the first count. The second count is on warrant No. 239 for \$13.25, the third on warrant No. 501 for \$50 and the fourth on warrant No. 538 for \$20.

The second indictment against Meheula, in similar form, charges him in three counts with having destroyed vouchers for \$30, \$35 and \$50 respectively. In each count of both indictments it is set forth that Clerk Meheula was paid the money for himself by the public treasury.

BRITISH SQUADRON WILL MENACE VENEZUELAN

A Squadron to Enforce Great Britain's Protest Against Closing Orinoco.

England and China to Protect Thibet—Wood Was Insubordinate—Germany Recognizes Panama—Sir Fred'k Bramwell Dead.

(ASSOCIATED PRESS CABLEGRAMS.)

PORT OF SPAIN, Dec. 1.—A British squadron is going to La Guayra, it is reported, in connection with President Castro's closing of the Orinoco river to foreign trade. Great Britain has twice protested against this measure.

Protectors of Thibet.

TIENTSIN, Dec. 1.—It is understood that England and China will hold Thibet against Russia.

The Chinese Resident in Thibet recently reported that hundreds of Russian cavalrymen were entering the country. He protested against this invasion but the L'Hassa government paid no attention to him as it was stated that the cavalrymen were only "visiting" in the country. Colonel Younghusband is at present leading a British column into Thibet to remind the Thibetans that they have disregarded certain treaties in connection with British and Indian trade. Russia is said to be backing up the present stubbornness of the government of Thibet.

Wood Was Insubordinate.

WASHINGTON, Dec. 1.—In the Senate inquiry into the claims to promotion of Brigadier General Leonard Wood, Major General Brooke testified that General Wood was insubordinate in Cuba. Wood will probably be recalled from the Philippines to testify.

Noted Engineer Dead.

LONDON, Dec. 1.—Sir Frederick Bramwell, the noted engineer, is dead at 85. He was a civilian member of the British ordinance committee.

Germany Recognizes Panama.

BERLIN, Dec. 1.—Germany has recognized the independence of Panama.

Kansas Eight Hour Law.

WASHINGTON, Dec. 1.—The Supreme Court has affirmed the constitutionality of the Kansas eight hour law.

President and King.

WASHINGTON, Dec. 1.—President Roosevelt will recognize the King of Serbia and reestablish the legation at Belgrade.

Three Negroes Lynched.

SHREVEPORT, La., Dec. 1.—Three negroes have been lynched for murdering white men.

Naval Balloon Stations.

LONDON, Dec. 1.—The war office will establish balloon stations on the Mediterranean.

TRIBUTES TO JUDGE FROM PLANTERS AND BUSINESS MEN

Following are the resolutions adopted by the Chamber of Commerce and the Hawaiian Planters' Association, respectively, in regard to the retirement of Mr. Dole from the Governorship and his accession to the Federal Judgeship:

CHAMBER OF COMMERCE.

Whereas, The Honorable Sanford B. Dole has been the Chief Executive of the Government of Hawaii for a period of more than ten years, and Whereas, he has now resigned the office of Governor to assume the duties of United States Judge for this Territory,

Be It Resolved that this Chamber of Commerce hereby records its sincere appreciation of the valuable services rendered by Mr. Dole in the exalted position he has so long occupied, and expresses its deep conviction that his career in the important judicial post to which he has now been appointed will be no less distinguished than that which has just drawn to an honorable close.

HAWAIIAN SUGAR PLANTERS' ASSOCIATION.

Resolved that the Hawaiian Sugar Planters' Association desires to express its appreciation of the services which the Honorable Sanford B. Dole has rendered to the community of these islands as the Chief Executive officer of the Government during the past ten years.

That by his dignified, just and equitable administration of the public affairs, and his recognition of the rights of all classes and interests he has commended himself as a high-minded and able public officer.

H. A. Isenberg, President.
By William O. Smith, Secretary.
Dated Honolulu, November 18, 1903.

OFFICES TO BE FILLED

Republican Organization Was Thrown From His Consulted by the Governor.

With regard to the Board of Health, the office of the Governor of the Territory, Governor Carter yesterday addressed a letter to the Republican Central Committee soliciting its recommendations for appointments. The Governor awaits legal advice on the question of whether Tax Assessor Pratt can prosecute tax collection cases after he leaves that office. Another question on which the Governor desires illumination is, whether Mr. Pratt can accept the commission of Commissioner of Lands and holding that office finish his tax office business. Upon the advice received in both matters will depend whether Mr. Pratt shall take the land office forthwith or not until he surrenders the tax office to the county authorities at the first of the year.

As the tax cases will, probably, all go to the Supreme Court, there is little or no chance that they will be determined before Mr. Pratt's departure. It is ascertained by reference to the judicial records that Mr. Pratt's predecessor in office did not figure as a plaintiff or defendant in tax cases for some time after he retired.

As to the vacancy in the presidential office of Secretary of the Territory, it is a safe surmise that if A. L. C. Atkinson should consent to accept it, the appointment would not be long delayed.

Republicans Will Hold Meeting Today.

(From Monday's Daily.)

The Republican members of the Oahu Board of Supervisors will hold their first caucus this afternoon. It is the intention then to discuss plans for the organization of the board, and after the Republican majority has considered the matter the Home Rulers will be called into caucus to decide upon the action to be taken. It is barely a month now before the county act goes into effect and the supervisors will be compelled to do a considerable amount of preliminary work before they take office.

The county act intends that the government of the county shall pass into the hands of the recently elected officers on the fourth day of January, and for that reason it will be necessary that the supervisors organize the government prior to that time, in order that there may be no delay in taking up the reins of control, or any transition period which might lead to trouble.

One of the most important works before the supervisors is the necessity for securing control of a building or offices for the housing of the county officers. There is at present on this island no building which the Territory could turn over to the county, as both the executive and judiciary buildings are well crowded. It will of course be possible for the new officers, such as the assessor, to step into the offices of his predecessor, but this arrangement can be carried out only in the case of the assessor and High Sheriff. The county attorney, auditor, treasurer and the remaining officers will be compelled to seek new quarters as they do not take the places of any similar officeholders who now have quarters. There has been some talk of securing offices in the Young Building, but there can of course be no action until a meeting of the entire board and this would then have to be confirmed at a later meeting after the new law goes into effect.

The Board of Supervisors also has the appointment of a number of officers. The district magistrate is one of the officers to be named by the supervisors, although the present board can make no appointments, as the commissions of Judge Dickey and Judge Lindsay hold for another year. The board also appoints poundkeepers, a health officer, road supervisors and many minor officers. The board must also approve the appointment of deputies to the sheriff, the tax assessor and also the appointment of policemen.

The Board of Supervisors is also compelled to fix the amount of the bonds of the treasurer, tax collector and other officials and also approve the sureties.

In fact the Board of Supervisors is given a multitude of duties, much of which must be dispatched before the board is regularly organized in January, in order not to tie up public business. The caucus this afternoon is of the four Republican members only—J. A. Gilman, John Lucas, M. P. Robinson and A. Hocking. It is possible that some decision may be reached as to the selection of chairman for the board. Both Robinson and Gilman are talked of for chairman of the Oahu board.

A Method in His Dulness.—Teacher: "Don't notice that boy who stands at the foot of the class? Well, last summer he was the brightest boy in school." Committesman: "He is now. I notice the foot of the class is nearest the stove!"—Puck.

CHAS. DOLE BADLY HURT

Was Thrown From His Horse Upon His Head.

Charles Dole, nephew of Judge Sanford B. Dole, was thrown from a polo pony while riding on the Fall road on the other side of the island yesterday afternoon about 5 o'clock, and nearly killed. He was rendered unconscious and remained so up to 10 o'clock last night when he rallied. The physicians are hopeful for his early recovery.

Mr. Dole, accompanied by Mr. Derby of Kinney, McClanahan & Cooper's law offices, left Honolulu early yesterday afternoon for Koolau to spend Sunday at Mr. Swamy's place. Both rode polo ponies, Mr. Dole being mounted on one he used in the Oahu-Kauai polo tournament. After crossing the Fall the young men rode at a much faster gait, and when near the castor bean plantation began to race. The road in places was slippery. Derby was ahead, when he heard a noise as from a horse stumbling. He turned about just in time to see Mr. Dole lying prone in the road with the horse struggling on him trying to regain her feet.

Derby dismounted and rushed to assist his friend. He found Mr. Dole unconscious and looking as if dead. The pony was brought to its feet and Mr. Derby made every effort to revive the fallen rider. There was a contusion on Dole's forehead reaching from the left eye diagonally back to the hair over the temple, and the man was bleeding. Mr. Dole at the time of his fall wore a cork helmet and this is believed to have prevented him from being killed instantly. Mr. Derby believed that he had been pitched from the pony directly upon the top of his head.

Some time after the accident Edgar Henriquez came up the road in a brake, and the unconscious man was lifted into the seat and was taken over the Fall to be cared for at Mr. Henriquez' home in Nuuanu Valley. Physicians were summoned, and Drs. Cooper and McDonald responded, taking a trained nurse with them. The physicians worked over Mr. Dole steadily and brought him back to consciousness. The pulse was very weak.

Judge Dole and other friends drove up to Mr. Henriquez' home to stay with the injured man.

THE MITCHELL AMENDMENTS.

(The Official and Commercial Record.)

The amendments to the Organic Act proposed by Senator Mitchell are numerous.

The bills for public improvements receive the unqualified support of all the people in the Territory—not for the simple reason that money will be expended here, but because each and full discussion in both Houses of Congress. There does not seem to be any good reason for making a change, and in view of the immense demands upon the time of Congress, there seems to be no reason why the time of that body should be taken up in considering three separate bills involving such insignificant one of the objects proposed is an urgent public necessity.

The amendments changing the age limit of Representatives, Senator and the Governor do not excite any particular interest here one way or the other. The limits in the existing Act were fixed by an able Commission, and after cant and unnecessary amendments.

The proposed amendments repealing the requirement that the Governor and chief Territorial officials should be citizens of the Territory are unqualifiedly bad.

These proposed amendments are not responsive to the desire of any responsible element in this Territory. On the other hand, they are diametrically opposed to the earnest desires of an overwhelming majority of the responsible citizens of the Territory. They are, moreover, inconsistent with the principles of all the great parties in the United States, who for many years have declared in their party platform in favor of appointing Territorial officials from among citizens of other territory.

The proposed amendments are a step backward. They will simply facilitate the appointment of carpetbaggers and those having no knowledge of or interest in the Territory.

The Record cannot imagine any one having any bona fide interest in the Territory supporting such a proposition.

Lytle Buys Hawaii.

The sale by auction of the yacht *Hawaii*, formerly owned by the late Judge Luther Wilcox, brought a large number of yachtsmen to the landing yesterday where the boat was exhibited. Among those present were E. A. Moffit-Smith, Commodore Hobson, Captain Rosehill, H. E. Cooper, Olaf Sorenson, Alec Lytle, Mr. Dowsett and Herbert Young.

Herbert Young bid \$100. Other bids raised the price to \$200 when Alec Lytle began bidding. It was finally knocked down to him for \$330. Mr. Lytle and others bought the boat to enter it in the pelai trade on Molokai. Cashman & Nelson bought some spars and sails for \$4.

The yacht *Hawaii* was designed and built by the senior Sorenson. She was one of the best racing boats in these waters in her time, and was always sailed in recent years by her owner, Judge Wilcox, who was an enthusiastic yachtsman.

THE HAY-VARILLA TREATY WITH THE NEW REPUBLIC

The Best Things Found in the Late Files From the Coast—Gleanings of the World's Most Interesting News.

NEW YORK, Nov. 19.—Official reply was made today, says the Herald's Bogota (Colombia) correspondent, under date of November 18th, to the note presented by United States Minister Beaupre informing the Colombian government that Washington had entered into official relations with the republic of Panama. The reply was framed by Señor Carlos Ricos, Minister of Foreign Affairs, who vigorously defends his government and threatens to march an army on Panama unless the United States immediately recedes from its position.

That the Colombians are willing to fight to maintain their dignity and, if possible, retake Panama, is shown by the strong support offered the government and the popular approval of Minister Ricos' stand.

The Minister in his note to the United States through Mr. Beaupre says: "The Colombian Government protests energetically at the attitude taken by the United States. By the recognition of Panama and the warning that the United States will not allow Colombia to put down the rebellion, the heretofore friendly relations existing between the two governments have arrived at such a critical state that it is absolutely impossible to continue diplomatic relations, unless the Washington government immediately gives notice that it has no intention to prevent Colombia from re-taking the isthmus or to extend any recognition to the belligerents."

The note concludes by stating that "a prompt reply is awaited from Washington as the Colombian army is ready to march on Panama at once."

Adding to the indignation of the people and stirring them in their preparations for war is a dispatch alleged to have been received today saying Germany "disapproves of the course taken by the United States and censures her for interference at Panama."

This message has caused general rejoicing and on all sides are heard cheers for Germany.

General Perdomo has been appointed Commander-in-chief of the Colombian army. He is possibly the best informed officer in Bogota on affairs on the isthmus, having acted in an official capacity at Panama during exciting times there. He was once Governor of Panama.

THE HAY-VARILLA TREATY.

WASHINGTON, November 18.—The Hay-Bunau-Varilla Isthmian canal treaty was signed this evening at the residence of Secretary Hay by the Secretary and Philippe Bunau-Varilla, the Minister from Panama.

Convention gives the United States absolute control over the strip of land on each side of the canal, the territory comprising between eight and ten miles on each side.

Although the treaty contains many features of the Hay-Herran document, it carries out the spirit and letter of the Spooner Act. Panama instead of Colombia gets the \$10,000,000.

Neutrality of the canal is provided for, and it is to be open to all nations on even terms. The United States is permitted to fortify the line and terminals.

Autonomy of the cities of Colon and Panama is retained so long as they maintain public order and sanitary conditions to the satisfaction of the United States.

Landing of troops by the United States, to police the line, is permitted. Many Senators took part in the discussion of the convention with Secretary Hay and the Panama Minister.

WASHINGTON, Nov. 18.—The Hay-Bunau-Varilla Isthmian canal treaty was signed this evening at the residence of Secretary Hay by the Secretary and Philippe Bunau-Varilla, the Minister from Panama. The ceremony occurred in Secretary Hay's study. The Panama minister arrived at Mr. Hay's house promptly at 6 o'clock, having made an appointment with the Secretary for a conference at that hour. He was surprised to find that the Secretary had before him the treaty engrossed in duplicate. The Secretary informed M. Bunau-Varilla that he was ready to sign the treaty. The Minister read the document carefully and then he and Secretary Hay attached their signatures to it.

Hearty congratulations were exchanged, and it was agreed that the news of the signing of the treaty should be kept from the public for the present. President Roosevelt was advised of the signing and M. Bunau-Varilla sent a confidential cablegram to his government stating that the treaty had been signed.

Although the treaty has not yet been made public the Associated Press is enabled to give the substance of the document.

It consists of between twenty-two and twenty-five articles, but the main points of the convention are contained in the first six articles.

The keynote of the treaty is the provision in one of the very first articles by which Panama cedes to the United States whatever land or lands throughout the Republic of Panama this Government shall find desirable in connection with the building or the operation and maintenance of the canal. In addition the treaty gives to the United States abundant sovereignty over the canal strip, which it is understood, comprises between eight and ten miles on each side of the canal. Within this scope the power of the United States is as absolute as if the same were part and parcel of this country. In general, it may be said that while

the new treaty contains many of the provisions of the failed Hay-Herran treaty, it is not based on that convention, but follows not only the spirit but the letter of the Spooner act. Thus, instead of the lease for a fixed period of the canal strip, this new treaty provides for a perpetual grant of the right of way to the United States, and instead of a complicated provision for courts of mixed composition—half American and half Colombian—to administer justice over the canal strip, the new treaty permits this Government to exercise the most complete jurisdiction thereon.

Permission also is given the United States to fortify the line and the terminals, and it may police it with troops. That portion of the treaty dealing with the fortification of the terminals is rather general, but sufficiently explicit not to be misunderstood.

The cities of Panama and Colon retain their municipal autonomy under the Republic of Panama so long as they maintain public order and sanitary conditions to the satisfaction of the United States. Failure to do this gives the United States, according to the treaty, the right to force strict compliance with the wishes of the Government in this direction, and the United States can even use force to compel obedience to its rules as to public order and public health in these cities.

The money consideration is the same in the new treaty as in the Hay-Herran convention; with the exception that the \$10,000,000 goes to Panama instead of to Colombia.

The treaty further provides that the canal is to be neutral and open to all nations on even terms.

Two-thirds of the treaty concerns details of administration, which, while not necessary to the efficacy of the convention, will, it is believed, commend the new treaty to many members of the Senate who picked flaws in the defunct Hay-Herran convention.

Secretary Hay had a conference with the Panama Minister late last night and the general terms of the treaty were agreed upon.

The contention of the Washington Government, that the capital of the new republic be not located in either Panama or Colon, was not pressed by Secretary Hay when he found that the Panama Government was earnestly opposed to it, and the treaty makes no such provision. This, however, is not regarded by the Secretary as a vital point in view of the extensive rights which the United States has throughout the canal strip, and he especially wide jurisdiction in the terminal cities. This is the only point in the negotiations which caused the expression of a difference of opinion.

No time will be lost by Panama in ratifying the new treaty. Whether the ratification will be made by the Government at Panama or whether the commission which arrived here tonight will be called power to ratify it has not yet been determined. The exchange of ratifications will occur in Washington.

The President has not determined when the convention shall be submitted to the Senate for ratification. His present purpose is to withhold it until there is reasonable assurance that its consideration will not obstruct any of the legislation for which the present special session of Congress has been called.

Gen. MacArthur Makes Official Visit to Camp McKinley.

Camp McKinley was thrown into a flutter of excitement on Saturday morning when General MacArthur, U. S. A., commanding general of the Department of California, made an inspection of the post. He was accompanied by his aide, Captain B. Parker West.

The inspection was made of the barracks, equipment of the artillerymen, tents, and government property in general. The troops were not drawn up in review but merely submitted to the usual inspection.

If the weather permits, General MacArthur will be the guest of Admiral Terry on a cruise today on the U. S. S. *Iroquois* to Pearl Harbor; the sites for the various buildings of the Naval Station and the proposed army fortifications. Captain Rodman will command the *Iroquois* and Captain White, Naval Engineer, and Captain West, U. S. A., will accompany the officers.

Tomorrow General MacArthur, Captain West, Admiral Terry and others will drive around Oahu via Kahana, Kahala and Waiwae. Mrs. MacArthur will meet the party at the latter place. The trip will occupy several days.

The Strategy of Samuel—Proud Father: "I tell you, sir, that boy of mine will be a wonder!" Friend (wearily): "What wonderful thing has he done now?" Proud Father: "Why, the other day he ate all the preserves in the pantry. I overheard him say, as he sneaked the cat's face with the stuff: 'I'm sorry, Tom, to do this, but I can't have the old folks suspect me.'"

(November.)

LONG TRIAL ANTICIPATED

An Excused Juror Let Go Two Weeks.

Late yesterday afternoon twelve jurors had passed for cause in the Jones murder case before Judge Gear. Mr. Robertson challenged "Sis" Kellewa and A. A. Montano in turn, and when John Crowell was called and excused for fixed opinion and scruples against capital punishment, Clerk Sims announced that the list of jurors summoned was exhausted.

The court consulted counsel as to how many new jurors should be summoned under a special venire.

Attorney General Andrews suggested twenty-five, but Mr. Dwyne thought that would not be a sufficient number, as there would probably be fifty per cent of those called who would fail to pass for cause.

Judge Gear directed the clerk to draw forty-eight names out of the jury list box and deposit them in the trial jury box. The names were read out all drawn, but Mr. Robertson objected to their publication until summoned.

It appears that when the previous list drawn had been published in the *Advertiser*, a number of those named got out of town before the officer could summon them.

The defendant has ten more challenges within his right to exercise, while the Territory has the privilege of challenging six jurors. For every one excused peremptorily it may take from one to an indefinite number of men to be examined for cause of excuse before the vacancy is filled.

After the drawing of the names for the special venire the jurors present were excused until 9:30 Monday morning.

When Mr. Montano was retiring he asked for how long he would be excused, and Judge Gear answered two weeks. This might be taken as the court's estimate of the length of the trial in hand.

One juror under examination said he never read the papers, either English or his own Hawaiian. Another naively confessed he believed what he read in the papers, which the lawyers thought funny, and the juror clinched his profession of faith by saying that if Jones did not shoot Mrs. Parmenter the paper would not have said it.

CIVIL JURY TRIALS.

The debt suit of Enterprise Mill Co. Ltd. vs. Pacific Mill Co. Ltd., with Hawaiian Engineering and Construction Co. Ltd.; and F. L. Weaver, trustee, and First National Bank of Hawaii, garnishees, was tried before Judge De Bolt yesterday morning. Hatch & Ballou for plaintiffs, Robertson & Wilder for defendants and garnishees. A continuance asked by defendants was denied. Default was entered against the Construction Co. and Weaver, garnishees, an objection by defendants being overruled. The following jurors were found satisfactory as drawn: I. Levingston, Charles E. Frasher, Charles Butake, H. Meek, E. Mossman, W. H. Thornton, E. H. F. Wolter, P. M. Lucas, J. L. Cockett, Isaac Adams, E. McCarrison and George Wypper. The court, after both sides had rested, directed the jury to find a verdict for plaintiff in \$750 for rents and \$29.15 for taxes, a total of \$779.15, which they did without leaving their seats. Defendants excepted to the verdict and gave notice of motion for a new trial.

Sing Chan Co. vs. Shun Lung Yuen Ku, assumption, came up for trial before Judge De Bolt in the afternoon. Thayer & Hemenway for plaintiff; E. A. Douthitt for defendant. The following jury were found satisfactory as drawn: B. Guerrero, John Kuanaa, Chas. Butake, W. H. Thornton, Geo. Cypher, I. Levingston, E. McCarrison, Isaac Noar, P. M. Lucas, E. H. Mossman, E. H. F. Wolter and H. Meek. A verdict was returned for the defendant, the plaintiff noting exceptions and giving notice of motion for a new trial.

W. C. Parke vs. John W. Cathcart was the next case called. W. A. Whiting and C. F. Clemons for plaintiff; defendant in person. A continuance asked on the ground of the absence of C. C. Bittling, attorney for defendant, was denied. With but two excuses the following jurors were found satisfactory: Jas. A. Auld, E. R. Adams, Chas. E. Frasher, Geo. Cypher, I. Levingston, P. M. Lucas, John Kuanaa, Isaac Adams, H. Meek, E. H. Mossman, Ben. Guerrero and E. McCarrison. The trial started and at 4 p. m. was continued till Monday.

The trial of Allen W. T. Bottomley, trustee, vs. Lam Foi was concluded before Judge Robinson yesterday afternoon with a verdict for the defendant. Exceptions were taken and notice of motion for a new trial was given by the plaintiff.

JUDGMENTS ENTERED.

Judge Gear signed an order directing the executors of the estate of E. C. Macfarlane, deceased, to liquidate and close the entire interest of decedent in the copartnership known as the Puloa Sheep and Ranch Company, and to that end sell the property at public auction with no bid less than \$20,000 gold to be received. One-third of the net profits of the copartnership received since the death of decedent and profits accruing previously but not paid to him, will be credited to the estate less debts chargeable to him in the copartnership and one-third the expenses of these proceedings.

Judge De Bolt entered judgment for Lytle & Dickey for \$100 and his costs taxed at \$4 against Honolulu Rapid Transit and Land Company. This was under a remittitur from the Supreme Court.

Judge De Bolt signed the decree confirming the foreclosure sale in the suit

IS NOT AT THE BOTTOM

Militia Force Here Is Larger Than in States.

Although the smallest Territory in the United States, Hawaii has a militia force as large as some of the States, according to the annual report of the Adjutant General of the United States which has just been issued. The pamphlet which came to Colonel J. W. Jones in the last mail gives the roster of the organized militia of the United States by divisions, brigades, regiments and companies.

The figures as to the strength of each state and territory are interesting. Hawaii is far from the bottom in the list. New York of course has the largest organization, her roster showing 13,889 men. The smallest militia force in the United States is that of the State of Nevada, which has but 140 men. Hawaii has 573 soldiers, Idaho 449, Montana 338, Arizona 332, Delaware 330, New Mexico 321, Utah 278, Wyoming 260.

CANE SUGAR STATISTICS.

The Department of Agriculture, in its official crop report for November, announces that the indications are that the world has entered on a new era in the production of cane sugar. The department quotes estimates placing the total sugar production of the world in the year 1903-4 at 10,425,800 tons of 2240 pounds each, including 4,342,800 tons of cane sugar and 6,083,000 tons of beet sugar, and says as to cane sugar: "During the past five years the world's output of this product has increased from 3,600,000 to more than 4,000,000 tons, quantitatively the greatest increase ever made in any five-year period in the history of this industry. Moreover, for the first time in a half century the ratio of increase in the world's production of cane sugar has exceeded that of sugar made from beets, the percentage of increase in the former product for the five years being about double that of the latter."

The four years from 1900-01 to 1903-04, inclusive, were each in its turn record-breaking years for the production of sugar. The previous high record crop (3,580,000 tons) was that of 1894-95, the crop made just before the outbreak of the revolution in the most important producer—Cuba.

"The high record crop in the history of the world's best sugar production was that of 1902-03, a time that date there has been a decline in production in Europe, amounting in all to about 1,000,000 tons, but the present year's estimated output still shows a considerable increase over that of five years ago."

The report says that about eighty per cent of the cane sugar of the world is now annually produced in tropical and semi-tropical islands. The prospective output for 1903-04 of the leading single producers—Cuba and Java—constitutes forty-five per cent of the world's cane sugar.

of W. F. Allen, trustee, vs. S. K. Kane and wife, which includes a deficiency judgment for plaintiff in the sum of \$1218.57.

BUNCH OF DEMURRERS.

Separate demurrers have been filed by the four defendants in the suit of Kaploani Estate, Ltd., vs. W. R. Castle, trustee for Lelaioha K. A. and Philip L. Weaver, Wm. H. Hoogs and Lelaioha K. A. Castle says the complaint is ambiguous in not making it clear whether he is sued individually or as trustee, also that it does not set forth any liability against him for the recovery of \$774 money alleged to have been expended in recovering possession of the premises, also that it does not set forth any liability for the recovery of \$5400 for damages on account of destruction and failure to rebuild certain buildings, also that it does not set forth what proceedings were had for recovery of possession of premises. The other defendants demur on identical grounds to those of Castle excepting the first relating to trustee.

CASE OF BROOKS.

In the Federal court yesterday F. M. Brooks, the American attorney indicted with seventy-nine Japanese for implication in the conspiracy organization, entered a plea of not guilty and his counsel, E. P. Dole and Geo. A. Davis, made a strong effort for an immediate trial. Mr. Brooks spoke of his business as being ruined by having the charge hanging over him. Attorney Dole, commenting on the bill of particulars furnished under the court's order, said that in all his experience he had never seen an indictment based on so little evidence.

Mr. Breckons asked for a continuance of the case on the ground of absence of material witnesses, Adachi being one.

Judge Dole set the trial of Mr. Brooks for December 7.

Moana Hotel's Troubles.

At a meeting of the stockholders of the Moana Hotel yesterday morning it was decided to purchase the property to the bondholders. The hotel has been losing money for some time, and W. C. Paeoock, the chief stockholder, has become tired of meeting the demands with advances. The Hawaiian Trust Co. is trustee for the bondholders.

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GOVERNMENT'S POLICY TO
BE MAPPED OUT TODAYFirst Meeting of Governor's Appointees to
Discuss the Future of the Territory.
Executive Council a Thing of the Past.

(From Monday's Daily.)

The Executive Council will hold its first and probably last meeting with Governor Carter this morning at eleven o'clock. At this meeting the future policy of the government will be mapped out as far as it is possible to do so at present. All the members of the council will attend this first meeting excepting Treasurer Kepolai.

"There will be a meeting of the Heads of Departments at eleven o'clock tomorrow morning," said Governor Carter last evening. "It is the intention to map out the policy of the government so far as is possible at this time. This will be my first meeting with the heads of departments. No, Mr. Kepolai has not been asked to attend. He was not one of the men appointed by me and I do not consider him one of the official family."

"It is not my intention to have weekly meetings of the heads of departments. Instead it will be my policy to appoint a certain hour for each official, at which he may report to me personally and at which time the affairs of his department can be discussed."

"The inaugural ball has been fixed for a week from Tuesday. The present invitation list is not entirely satisfactory. There are too few Hawaiians upon the list, and I am anxious to get additional names."

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HARD UP
FOR JURORSMurder Case from Kauai.
Judge De Bolt Has
Caught Up.

With eleven jurors in the box for the Jones murder trial, and eight challenges for the defense and two for the prosecution to come, Judge Gear was confronted with an exhausted list of citizens drawn for jury duty this term at the close of yesterday's session. The court was in a quandary as to the course he might pursue in this situation. It was doubtful whether an open venire for talesmen from the body of the district could be issued under the new law relating to jurors. An alternative was suggested of drawing upon the jury panels assigned to Judges De Bolt and Robinson, with the probability that these would also be exhausted before the last peremptory challenge was exercised. A last resort would be to enter a mistrial and change the venue of the case to another Circuit.

CHANGE OF VENUE.

By a change of venue from the Fifth Circuit, Kauai, a murder case comes thence to Honolulu next term. This is that of Yoshikawa, Dengiro, sentenced to death for murder of his foster father at Kapaa by Judge Hardy on September 13, 1902. The Supreme Court in June last found error in the Judge's charge to the jury, from omission of any statement of the defendant's evidence in his own behalf though contradicted, and ordered a new trial. Charles Creighton, counsel for the defendant, received word yesterday that his motion for a change of venue had been granted by Judge Hardy last Friday. It was changed to the First Circuit for the January term.

THE KAUAI TERM.

The Fifth Circuit Court will open December 23 and take up jury-waived cases. On December 23 the grand jury, and on January 4 the trial jury will appear before Judge Hardy.

BUSINESS CAUGHT UP.

Judge De Bolt held no jury trial yesterday. All cases set for trial up to date had been disposed of, and cases for later dates could not be taken up. Judge De Bolt believes he can wipe out his share of the calendar and have a vacation of two weeks before the close of this term.

Judge Robinson's jury is excused until tomorrow. Clerk Simonton yesterday posted the following notice to attorneys:

Civil causes which have been answered ready for trial before the Honorable W. J. Robinson, Third Judge, will be called on Wednesday, December 2, A. D. 1903, at 10 o'clock a. m., and will be taken up and tried in order, unless sufficient cause is shown by affidavit for a continuance. Following are the numbers of the cases which have been answered ready: 174, 175, 182, 192, 202, 206, 210, 212, 219, 220, 224, 230, 231, 235, 238, 242, 244, 245, 250, 252, 253, 264, 270, 276, 278, 282, 284, 288, 296 and 304. Cases specially set: No. 381, Dec. 14, 10 a. m.; No. 160, Dec. 14, to follow No. 381.

DIMOND'S ESTATE.

J. W. Jones, S. E. Derby and M. T. Simonton, appraisers of the estate of the late William Waterhouse Dimond, have returned a valuation of \$55,622.03. Of this \$35,000 represents life insurance and \$20,622.03 stock in W. W. Dimond & Co., Ltd.

QUEER WORK
ILLUSTRATED

(Continued from page 1.)

cepted on his own recognition, without a surety, by Judge Dole. Hakooles furnished a bond with Moreno K. Hui and S. Mahelona as sureties.

THE JURY DISCHARGED.

Judge Dole discharged the grand jury with the following remarks:

"Gentlemen of the grand jury, your thorough report has informed me more fully in regard to the conditions touched upon than was known to me before. I appreciate the work of this body and the importance of the duties drawn to your attention by my predecessor."

"I wish to thank each member of this grand jury for the work done on these matters of greatest importance to the Territory, matters so closely concerned in the protection of the public."

"Your work in one direction helps to assure the proper guarding of public morals and, in another, the protection of the taxpayer against waste and the unlawful taking of public funds."

"You have gone into these matters thoroughly in your investigations. Your report will prove of the greatest value to officials in looking further into matters in which your body has no authority."

"For the court, gentlemen, and for the public, I thank you for your work. Your body is now discharged for the term."

STEAMERS
ARE LIABLEInvestigation of Aliens
In Territory Is
Completed.

F. M. Bechtel, Inspector of Immigration here, has completed the collection of data for a report upon indigent or criminal aliens in Territorial institutions and will send it on to Washington, on the first steamer.

He has now visited all the islands of the group and is compiling his report. The instructions of Commissioner General Sargent under which Mr. Bechtel is working indicate that the Territory can hold the steamship companies liable for aliens in prisons or jails, while private institutions can make the same claim. The instructions say:

In prior to landing cases the cost of maintenance, at rates agreed on between the institution making the charges and the bureau, from the date the case is first reported to an immigration officer until deportation takes place, is a proper charge against the steamship or line by which the alien reached this country. Bills against the proper vessel or company, fully itemized, rendered in duplicate and properly receipted, stating the name of the alien, shall be forwarded to the bureau of immigration, through the same immigration official to whom the case was originally reported, for collection of the account and transmission of proceeds to payee. In subsequent to landing cases, rule 17 of the immigration regulations provides that, within the period of one year from landing, the charges incurred for care and maintenance will only be paid by the bureau of immigration at fixed rates agreed upon. Institutions desiring to avail themselves of the benefit of this circular shall submit to the bureau of immigration, through the nearest immigration officer, a scale of charges for the maintenance and treatment of diseased and dependent aliens, which scale shall be approved by the bureau before payment is authorized in any case. Particular attention should be invited to the fact that aliens who become public charges from causes arising subsequent to landing cannot be deported except by their own consent (which fact must be stated in original report of the case), and the entire expense of delivery at the airport from which deportation is to take place must be defrayed by the state, county or municipality, as the case may be, since it is not a proper charge against the government.

The circular also provides that, within the period of one year from landing, the charges incurred for care and maintenance will only be paid by the bureau of immigration at fixed rates agreed upon.

Institutions desiring to avail themselves of the benefit of this circular shall submit to the bureau of immigration, through the nearest immigration officer, a scale of charges for the maintenance and treatment of diseased and dependent aliens, which scale shall be approved by the bureau before payment is authorized in any case. Particular attention should be invited to the fact that aliens who become public charges from causes arising subsequent to landing cannot be deported except by their own consent (which fact must be stated in original report of the case), and the entire expense of delivery at the airport from which deportation is to take place must be defrayed by the state, county or municipality, as the case may be, since it is not a proper charge against the government.

THE ALLEGED
MOSQUITO PLANT

Is there or is there not an African plant that has the property of driving away or stupefying mosquitoes? This question has been exercising people in England since last spring, when the discovery of such a plant was announced by an English army officer. The existence or absence of such virtues in the plant, which is a variety of baill (Ocimum viride), has been discussed ever since in the columns of The Times (London), with more or less acrimony. Says The Scientific American Supplement, which gives an abstract of the controversy:

"Last April Captain Larymore, the British resident in Northern Nigeria, published a letter in which he asserted that by placing two or three pots of 'mosquito-plant' in each room of a house, and others along the windward side of the veranda, the place could be kept practically free from mosquitoes. He described an experiment he had made, which showed that a mosquito enclosed within a leaf of the plant became stupefied, and he added that an infusion of the leaves of the plant was held by the natives of Northern Nigeria to be more efficacious than quinine as a remedy for malarial fever. Captain Larymore suggested that the plant should be used in barracks in India."

Sir George Birdwood, the well known naturalist, wrote a day or two afterward that allied baill plants had been known from time immemorial as a defense against mosquitoes and as a prophylactic in malarial districts throughout India. He related how, when the Victoria Gardens were being constructed in Bombay, the men employed in the work were so pestered by mosquitoes and suffered so greatly from malaria that, at the suggestion of the Hindu manager, the whole boundary of the gardens was planted with 'baill baill' and any other baill which were at hand, with the result that the plague of mosquitoes was at once abated and the malarial fever disappeared from the gardeners and others at work on the grounds."

Experiments were shortly after this made at the Kew Botanical Garden, near London, with a growing specimen of the plant that had been brought to England by Captain Larymore; but the officials there, although much interested in the captain's statements, became convinced that there was no foundation for them. The director of the Gardens, Sir William Thiselton-Dyer, wrote to The Times on July 24, enclosing a report made to the governor of Sierra Leone by Dr. Prout, the principal medical officer of the colony. Dr. Prout gave details of experiments with a dozen mosquitoes and the 'mosquito-plant,' in which there was absolutely nothing to show that the plant had any effect in driving away the insects. Sir William, in his introductory letter, made some sarcastic observations on "silly empiricism" remedied, and The Times, in a leading article, declared that the "mos-

quito-plant" had been shown to be "utterly useless." Captain Larymore and Sir George Birdwood, however, scout the idea that they have been victims of a delusion, and both have written to The Times declining to withdraw their statements as to the efficacy of the baill. To quote again:

"Both pointed out that experiments with single pots of the plant and a few mosquitoes could not be regarded as conclusive, and Sir George Birdwood said the real question was the weight of Captain Larymore's practical experience against Dr. Prout's experiments. In a letter dated August 2 Captain Larymore said:

"I think it unfortunate that the superficial experiments with a dozen mosquitoes, which were conducted in Sierra Leone, should have been accepted as conclusive evidence that the plant in question does not possess the properties ascribed to it."

"1. The plants employed may possibly not have been the same ocimum used and referred to by me."

"2. They may not have recovered after transplanting—mine were three to four months, regaining their full foliage."

"3. The well known powerful smell of ripe bananas may have negatived the scent of the plant in so small a space as the mosquito-net cages mentioned."

"Natives from time immemorial have held that the plant does possess the properties I have ascribed to it, and the original cause of this becoming sacred in India, where it is still worshipped, was doubtless due to this fact."

"I must again repeat that the particular ocimum given me by the natives in Northern Nigeria does possess the power of driving away mosquitoes, especially a healthy plant with its leaves bruised. My wife, who was with me, invariably used the leaves at night under open-worked stockings to protect her ankles, and at dinner the complete immunity enjoyed by her was very obvious indeed. In any case, I shall always make a point of having a hedge of the plant if possible, in every garden I own in the tropics, and can only recommend those who are anxious and willing to add to (not necessarily take from) the security of mosquito-netting and quinine, to do likewise."

DOLE'S CONDITION
MUCH BETTER

Charles Dole, who was thrown from a polo pony on the Fall road on the Koolau side of Oahu on Saturday afternoon, is resting easily at the residence of Edgar Henriques, Nuanuu Valley. Mr. Dole was in a semi-stupor all day yesterday, although rallying sufficiently to open his eyes at intervals, and saying "Yes" and "No." He became unconscious at 3 o'clock Saturday afternoon.

Drs. Cooper and McDonald, who are attending the injured man, are hopeful for his recovery and return to full consciousness in a short time. Concussion of the brain seems to be the only cause of his present condition, as the skull was not fractured.

Mr. Dole will remain at Mr. Henriques' home until he recovers, as the neighborhood is quiet, with cool breezes and everything in nature to assist.

ARMY AND NAVY
AT PEARL HARBOR

General MacArthur, U. S. A., Mrs. MacArthur, Captain R. Parker West, aide to General MacArthur, were the guests of Admiral Terry yesterday on a cruise in the U. S. S. Iroquois to Pearl Harbor. There were also aboard Mr. and Mrs. Requa of Oakland, Cal., Mrs. Severance, Mrs. Walbridge and A. L. C. Atkinson. Captain Rodman was in command of the tug.

The tug left the Naval Dock shortly after 10 a. m., and made a quick run to Pearl Harbor. General MacArthur had a splendid opportunity to inspect the several sites for buildings, general Navy Yard and docks.

BIDS FOR DREDGING
THE HARBOR

The Superintendent of Public Works yesterday opened bids for the dredging of sections 1 and 2 of Honolulu harbor. There were three bids put in, namely, Atlantic Gulf and Pacific Co., Hawaiian Dredging Company and Cotton Bros.

Shipping News.

The German bark *Stella* is taking on ballast at the Railway wharf, and will probably receive orders to sail in a day or two.

The Gerard C. Tobey is at the Boran wharf where she will discharge a cargo of bricks. She will take on a small amount of sugar as ballast and sail for San Francisco next week.

The Nevada will sail direct from Kahului after leaving Honolulu. She will start from San Francisco again for Honolulu on December 18. The vessel is due from San Francisco this morning, with mail and freight.

The ship George C. Curtis is at the Oceanic wharf, and will take on a sugar cargo from the Maxine Loa today. The Nihon will also bring back a few thousand sacks of sugar from Punahe which will be loaded into the Curtis.

Economy.—Husband: "My dear, I thought we were going to practice economy for a time?"

Wife: "So we are, dear. I have just countermanded the order you gave your tailor for a suit, and bought a bonnet that cost only half the amount."

—TW-Bits.

ANDREWS ON THE
VOUCHER SCANDAL

The present Territorial grand jury will not continue the investigation of the Legislature, but the matter will be taken up in January as soon as the next term of court opens and a new grand jury is called. The principal objection to the present jury taking up the work is the fact that at least two of its members are among the men mentioned by the Federal Grand Jury as having profited by the graft in the Legislature and who would therefore be disqualified. These men are Charles Wilcox and T. R. Mossman and they constitute just a sufficient number to prevent any indictment from being returned, as of the remaining twelve members, the number necessary to secure an indictment, one is ill—Mr. Shatt. He may have to have an operation performed which would prevent him from acting during the remainder of the term.

Another objection, even if there was no disqualification of jurors, is that the investigation could not be finished by the time the jury's term will expire by limitation of law. The present term ends the first of the year and by the time the legislators could be brought over from the other islands the term would be over.

The charges against the legislators will in all probability be the last and most important work which the newly elected district attorney, W. T. Rawlins, will take up when he enters office. After the first of the year the Attorney General will no longer be concerned in prosecutions and the county attorneys will be required to do this work. A conference has been arranged for this morning between Mr. Rawlins and Mr. Andrews at which time the voucher scandal will be discussed and a line of policy decided upon. "I have consulted with Mr. Rawlins, the newly elected county attorney in regard to the Federal jury report on the legislature," said Mr. Andrews yesterday, "as the matter if brought before the Territorial grand jury will consume a large amount of time, owing to the necessity of bringing witnesses from the other islands, and the investigation would probably not be finished before the county attorney takes over the work of prosecuting attorneys. The great difficulty is that the Territorial grand jury now has on its shoulders, because of Judge Gear's infamous crime decision, an extra large amount of work which keeps the jury busy with the present criminal calendar as it is turned out in Honolulu and other districts. To stop now in the midst of this work and commence an investigation of the magnitude of the vouchers of the House, would require an entire cessation of this criminal work. This term has already been prolonged since September, including three sessions of the Supreme Court, placing a large amount of work upon the Attorney General's department, which has kept all the members of the legal staff busy in the various courts on criminal and civil matters."

"We will, however, take immediate steps looking towards the bringing of any legislative charges before the Territorial grand jury as soon as matters are regulated. The term has been extended far beyond the ordinary but will be terminated by the first of the year. At that time this office will no longer be the prosecuting department in the Territory, and therefore the question for us to consider is whether to begin the investigation to run into the new regime, or whether merely to prepare the cases for presentation and turn them over to the county attorney. We will do what is least embarrassing to the county attorney and Mr. Peters and myself will meet with Mr. Rawlins tomorrow morning and decide what course to pursue. The department is of course ready to render every possible assistance to Mr. Rawlins when he takes up the investigation."

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BECKLEY SAYS
IT'S A SCORCHER

"It's a scorcher," said Speaker Fred W. Beckley yesterday in response to a request for his opinion of the grand jury report on the House of Representatives. "But it is a good thing," the Speaker continued. "It will teach future legislatures a lesson and there won't be such grafting in the next House."

"The Territorial grand jury should continue the investigation now. It should be pushed to the end to fix the responsibility on the members who made such corruption possible. As it is the report casts suspicion on every member of the House and the Territorial grand jury should now ferret out the guilty members of the House."

"I lost control over the clock early in the session. At the beginning a prerogative of the Speaker was the approval of clerks to committees and appointments of minor officials. But the thirteen Kamaeai Republicans took that matter out of my hands, and placed it with the committee chairman at the start. It was probably just a part of the game, this action. I had all I could do to keep the House together during the session, and was on the point of resigning the speakership more than once. I am pleased to see the investigation carried as far as it has been and only hope that the Attorney General will now carry it through to the end."

Not What She Expected.—Lady: "I don't understand. I have put your coat next to mine. Mr. Rawlins, I hope you do not mind?"

Mr. R.: "Mind, my dear lady, you know how little it takes to satisfy me."

—TW-Bits (London).

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JUDGMENT FOR
INCOME TAXES

Judge Dickey heard about thirty tax
cases yesterday. They were suits
brought by Assessor Pratt against peo-
ple who failed to pay their income
taxes. W. S. Fleming prosecuted the
suits for the Attorney General's De-
partment. In all of the cases there
was a default and Judge Dickey en-
tered judgment for the amount of the tax
and also cost of advertising, penalty,
interest and costs of court.

A Remarkable Specimen.—"Oh, pro-
fessor, I saw such a curious old fossil
in the museum today. I thought of you
at once."—Boston Globe.

BLISS WAS
VERY BRIEF

The Bride Mistreated on
Her Wedding
Day.

Marriage was a dire failure for Car-
oline Frieda Knubbe, if the allegations in
a divorce bill filed yesterday are
true. She was only married to Louis
Knubbe a little more than a month
ago and says that he began to mistreat
her the very day of their marriage.
The bill sets out that they were mar-
ried by Rev. W. Felmy in Honolulu on
October 1st of this year. The com-
plaint then alleges:
"That the libellee on and since the
first day of their marriage has been
guilty of extreme and brutal cruelty
towards this libellant at divers and
sundry times, to wit, on the 1st day
of October, 1903 (the wedding day),
said libellee did assault libellant by
seizing and beating her and in other
ways ill-treating her whereby she suf-
fered great bodily and mental suffer-
ing. That on to-wit the 25th day of
October, 1903, the said libellee did cru-
elly and brutally assault said libellant
by throwing her down and brutally
ill-treating her." Further brutal treat-
ment is alleged on the 31st of October,
and complainant finally left her hus-
band on the 11th of November, going
to live with her aged parents.

The libel further sets out that the
libellee is employed as a mechanic at
the Honolulu Iron Works, earning a
good salary and is able to provide
for the libellant. Absolute divorce and
alimony are asked.

REGISTERED MAIL
WAS DESTROYED

A bag of registered mail was de-
stroyed in the California wreck of a
month ago, some of it sent by Honolu-
lu parties. The local inspectors are
now getting evidence of the contents
and value of the packages burned in
the destruction of the mail coaches, to
be sent to Washington. The new post-
al regulations provide an indemnity
up to \$25 for destroyed registered
mail, and the Department makes good
all losses under that amount.

SOLACE MAY HAVE
AMMUNITION

It is expected that the naval trans-
port Solace which has been ordered to
join the Asiatic fleet at Honolulu will
bring ammunition for the vessels in
the squadron.

It will be remembered that just prior
to the Spanish war the Mexican was
ordered to Honolulu in a hurry. She
was supposed to have ordinary stores
aboard, but the cruiser Baltimore came
soon from Yokohama and took aboard
a good many tons of ammunition for
Dewey's fleet, then rushed back to the
Asiatic station joining the fleet again
at Hongkong. The ammunition came
in handy at the famous battle of Ma-
nila.

STEAMSHIP WAR
STILL CONTINUES

The Tokyo Asahi reports that the
Nippon Yusen Kaisha and some Ameri-
can steamship companies have lowered
their freightage on fancy matting and
miscellaneous goods bound for Ameri-
ca to one cent per pound and \$2 per
ton respectively. This step was di-
rected, the paper adds, against the
Pacific Mail Steamship Company, the
Occidental and Oriental Steamship
Company and the Toyo Kisen Kaisha,
which even at this time when their
competition with the China Merchant
Steamship Company has practically
come to an end, continue to enforce a
reduced freightage for America to the
detriment of the other companies.

MARINE GUARD
FOR HONOLULU

The Navy Department has called for
one hundred marines to go to Honolulu
and for thirty for duty in Samoa.
These were well along ready for leaving
when the troubles on the Isthmus
broke out and a hurry call was sent
for marines. As a result it is now im-
possible to send more than one hun-
dred marines to Honolulu without
stripping the barracks at home. In
the Philippines Rear Admiral Robley
D. Evans, commander of the Asiatic
Station, has repeatedly advised the
Navy Department that the Far East-
ern situation demands the retention
at Olongapo of a force of at least one
thousand five hundred marines. Under
the present conditions this is impos-
sible. A force of sixty-five marines
will leave San Francisco for Guam
early in December. How soon it will
be necessary to call on Congress to
relieve the situation is not certain, but
officers of the Army and the Navy
all agree that such an increase
should soon be authorized if the im-
portant work which has devolved upon
the Marine Corps in the past be ex-
pected of them in the future.—Arms
and Navy Journal.

Mrs. A.—"Your husband smoking
again? Why, I thought you insisted
that he should give it up." Mrs. Z.—
"I did, dear, but then I found such a
pretty smoking-jacket at a bargain
sale."—Chicago Daily News.

TAKEN IN BATTLE
THE THRILLING EXPERIENCE OF
CAPTAIN WESTBROOK.

For a Year After His Capture He Was
Moved From One Prison to Another
and Was Finally Exchanged.

A Confederate force under command
of Brigadier-General John A. McAus-
land had attacked on July 3rd, 1864, a
blockhouse ten miles west of Martins-
burg, W. Va. Captain N. S. Westbrook,
with the remnants of Companies B and
F of the 155th Ohio Volunteers, made a
gallant defense, but when a six-gun
battery was brought to bear upon his
position further resistance became a
useless sacrifice of life. For a year
after his surrender, Captain West-
brook, who now lives at Ripley, Ill.,
was confined in Southern prisons. In
telling his experience, he says:

"They took me from one place to an-
other. I had been in nearly all the
prisons of the Confederacy and, by the
time I was exchanged at Annapolis in
the spring of 1865, I was reduced to a
physical wreck. The exposure caused
sciatic rheumatism which became
chronic and did not leave me until
thirty years afterward when I took
Dr. Williams' Pink Pills for Pale People
and was cured.

"The disease affected my entire sys-
tem. In addition to the agonies of the
rheumatism I had indigestion in its
worst form, together with kidney trou-
ble and heart failure. I was getting
thoroughly used up."

"How did you come to take Dr. Williams' Pink Pills?" was asked.

"A neighbor of mine, James M. Stout,
was cured of rheumatism by this reme-
dy when he was so bad that he could
not straighten up. So I thought what
cured him would cure me. And I was
right."

Rheumatism is a disease of the blood.
External applications may afford tem-
porary relief, but to cure the disease it
is necessary to treat it through the
blood. Dr. Williams' Pink Pills for
Pale People go directly to the seat of
the disorder, purifying and enriching
the blood by eliminating poisonous ele-
ments and renewing health-giving
forces. They are a positive specific not
only for rheumatism, but for all dis-
eases arising from poor blood or weak-
ened nerves. They are sold at fifty
cents a box, or six boxes for two dollars
and a half, and may be had from all
druggists or direct by mail from Dr.
Williams Medicine Company, Schene-
ctady, N. Y.

GAELIC MAIL TO BE
HELD FOR FLEET

Admiral Terry yesterday received
from Admiral Evans, commanding the
Asiatic squadron, a cablegram request-
ing that mail for the vessels of the fleet
coming to Honolulu be taken from the
Gaelic which is due from San Francisco
Tuesday. Admiral Evans cables the
names of the battleships Kentucky,
Oregon and Wisconsin, and the cruis-
ers New Orleans, Albany, Raleigh and
Cincinnati as the vessels for which he
wants the mail held, giving the first
official information of what warships
are coming to Honolulu.

It is the opinion about the naval sta-
tion that the fleet has either sailed for
Honolulu or will leave Yokohama with-
in a day or two. It is the custom to
send the notification regarding the
mail only the last thing before sailing.
To get here December 15th the fleet will
have to get away within a very short
time.

The official navy list gives the per-
sonnel and equipment of the seven ves-
sels comprising the fleet coming to Ho-
nolulu as follows:

Rear-Admiral Robley D. Evans, com-
mander-in-chief.
Lieut. Frederick L. Chapin, Flag
Lieutenant.
Lieut. Thomas Washington, Aid.
Lieut. (junior grade) Frank E. Evans,
Aid.

Kentucky—(Flagship of Commander-
in-chief)—First class battleship, 22
guns, 11,825 tons, 12,318 horse-power,
twin screws. Captain Robert M. Ber-
ry, commanding.

Wisconsin—(Flagship of Commander
of Northern Squadron)—First class
battleship, 13 guns, 11,825 tons, 10,000
horse-power, twin screws. Captain
Will Sebree, commanding.

Oregon—First class battleship, 16
guns, 10,888 tons, 11,111 horse-power,
twin screws. Captain William T. Bur-
well, commanding.

New Orleans—Protected cruiser, 10
guns, 4,877 tons, 7,500 horse-power, twin
screws.

Albany—Protected cruiser, 10 guns,
4,277 tons, 7,500 horse-power, twin
screws. Commander John A. Rodgers,
commanding.

Raleigh—Protected cruiser, 11 guns,
3,213 tons, 10,000 horse-power, twin
screws. Commander Arthur P. Nasaro,
commanding.

Cincinnati—Protected cruiser, 11 guns,
3,213 tons, 10,000 horse-power, twin
screws. Commander Newton E. Mason,
commanding.

A SORE THROAT may be quickly
cured by applying a flannel bandage
dampened with Chamberlain's Pain
Balm. A lame back, a pain in the
side or chest should be treated in a
similar manner. For sale by all dealers
and druggists. Benson, Smith &
Co., Ltd., Agents for Hawaii.

Considerate.—"We'd like to have you
stay a little longer, Bridget."
"O'd jolks to meddl' munn, but how
w'd the employment agencies make a
livin' if we cooldn't move once in a
while!"—Woman's Home Companion.

A Progressive.—Teacher: "Now then,
what do we mean by composition?"
Little Girl (eagerly): "Phease, Miss,
composition is the art of bringing sim-
ple ideas into complication."—London
Punch.

INSURANCE
LAW FIGHT

Fidelity Co. Does
Not Accept
Ruling.

Deputy Insurance Commissioner Geo.
E. Smithies is in controversy with the
Fidelity Insurance Co. regarding its
purported compliance with the insur-
ance law of last session of the Legis-
lature. It is in the matter of the pro-
vision that every insurance company,
before doing business in this Terri-
tory, shall have at least \$50,000 paid-
in capital, which is construed to in-
clude available assets to that amount.
In the return of the Fidelity its assets
are given as follows:

Reality \$ 59,412.50
Sundry property 47,000.48

Total \$116,412.98
Mortgage on property 15,000.00

Net value of assets \$101,412.98

Deputy Smithies investigated this
valuation with the result here shown
as his estimate of the Fidelity's actual
standing:

Reality \$45,728.00
Sundry 2,723.83

Total \$48,451.83
Mortgage 15,000.00

Net value of assets \$33,451.83

Amongst the reality are many Ka-
imuki lots, and the sundry includes
shares of the Honolulu Investment Co.
The latter is put down as worth \$80 a
share by the Fidelity Co., but outside
holders of shares cannot sell the stock
for a tenth of that price. The Fidelity
Insurance Co.'s articles of incorpora-
tion, filed in March last, gives its cap-
ital stock at \$50,000 with the privilege
of increase to one million. Emmett
May held 4980 shares of a par value of
\$10 each, while ten shares each were
held by A. V. Gear, W. R. Fawcington,
W. M. Minton and Thomas E. Wall.
Three weeks after incorporation the
company notified Treasurer Kepoika of
an increase of capital to \$200,000,
and on July 16 notice was given that
5000 more shares had been subscribed,
making \$100,000 subscribed, of which
\$55,000 was paid up.

From the following letters it will be
seen that the company sets up the con-
tention that its business of giving se-
curity on bonds is not insurance, there-
fore not subject to the provisions of the
insurance law, also notifying the
Deputy Commissioner that it will not
do any insurance business under his
certificate of authority.

Honolulu, H. T., Nov. 23rd, 1903.

Mr. Geo. E. Smithies, Deputy Insurance
Commissioner, Honolulu.

Dear Sir: We beg to call your atten-
tion to the fact that going on Bonds
or issuing Surety Bonds on individuals
is not insurance, and therefore, any
Surety on Bonds we may wish to ex-
ecute or become responsible for on our
individuals does not come under, or is
it subject to the provisions of Act 69.

"An Act to Regulate and License In-
surance Business in this Territory."

A Surety Bond is not insurance under
any sense of the definition of the
word, and cannot be construed as such
under this law, if it is, then every per-
son or corporation in the Territory be-
coming Surety on the Bonds of individ-
uals is violating the law and would
come under the provisions of this Act 69.
Yours truly,

THE FIDELITY INSURANCE CO.,
LTD.

Honolulu, H. T., Nov. 27th, 1903.

Mr. G. E. Smithies, Deputy Insurance
Commissioner, Honolulu.

Dear Sir: Your communication of
the 19th inst., in reference to the
Fidelity Insurance Co., Ltd., in which
you state that the payment of capital,
investment of moneys and methods of
doing business of said company are not
in accord with the requirements of Act
69 of the laws of 1903, was received on
the 25th inst.

In reply will state that we contend
we have complied with all the require-
ments of said Act.

Payment of Capital: Section 7, re-
quires not less than one hundred thou-
sand dollars subscribed capital, of
which fifty thousand dollars be paid in
in cash before the issuance of any
policy of insurance. This we have
complied with as will be shown by our
books and the minutes of our meetings.
You have already admitted that we
have complied with the provisions of
Act 69, as will be shown by your Cer-
tificate of Authority issued to us on
Oct. 1st, 1903, which was issued under
the requirements of "Section 4. The
Commissioner shall issue to any insur-
ance company or corporation a Certifi-
cate of Authority to transact business
in this Territory under the following
conditions:

"First: If a Company or Corporation
organized under the laws of this Terri-
tory, when he is satisfied that the
provisions of this Act in relation to
such Company or Corporation have
been complied with."

If you were not satisfied that we had
complied with the provisions of this
Act at the time you issued us a Cer-
tificate of Authority, then you have
violated the law yourself which action
on your part is liable to cause us great
injury, damages and expense, and we
hereby notify you that any action by
you or the Insurance Commissioner of-
ficially or otherwise is liable to injure
our company and that we will hold you
responsible for any damages you may
cause our company to sustain.

You cannot claim that our capital or
assets have become impaired since Oct.
2nd, 1903, on the contrary it has en-
hanced in value.

The Rapid Transit has been complet-
ed since Oct. 2nd and is now running
to Kaimuki Tract, which has increased

the value of all our property in such
tract.

The Rapid Transit is also running on
Alakea street, and a large building
and mercantile house has recently been
finished which is located near our Alakea
street property, thus enhancing the
value of same.

Under this head we beg to call your
attention to Section 10, providing for
the increase of the capital stock of a
company formed after the passage of
this Act, etc., and goes on to say
"Provided that said increase in capital
stock shall be fully paid in legal tender
money of the United States."

In Section 7 a company organized
prior to the taking effect of this Act
provides fifty thousand dollars to be
paid in cash. Why the distinction? As
to the payment of capital between a
company organized prior to the tak-
ing effect of the Act and one increas-
ing its capital after the passage of the
Act: It shows very plainly the intent
of the law. Payable in cash, and pay-
able in legal tender money of the United
States is very distinct.

A cash payment may be made by
several methods, either by check, draft,
bill of exchange or note. Legal tender
payments can only be made (large
amounts) in United States gold coins.

We contend that we have complied
absolutely with all requirements of
Section 7 of Act 69 of the laws of 1903,
both in reality and with the intent of
the law.

Investments of Money: We fail to
find any requirements under Act 69
providing for regulation of investment
of moneys and if there are any we beg
that you point out the section thereof
and in what way you claim we have
not complied with it.

Methods of Doing Business: We also
ask that you point out specifically in
what way the methods of doing busi-
ness of our company are not in accord
with the requirements of Act 69.

Assets: We have to take exception to
your valuation of realty and sundry
assets of our company in comparison
with our valuation.

However we propose to call in the
balance of assessments of the capital
stock and also dispose of the undevel-
oped assets with the endeavor to make
it meet with your approval and avoid
further trouble.

Insurance Business: We will refrain
from doing any and all kinds of in-
surance business granted us by you
under our Certificate of Authority, but
we propose to continue to do all other
things (except insurance) granted us
to do under our Articles of Association
filed with the Treasurer of the Terri-
tory of Hawaii March 4th, 1903, and
duly approved by the Attorney General
and Treasurer of the Territory of Ha-
waii, which among other things pro-
vides that we shall have power to act
as surety on bonds, to buy and sell
lease, mortgage and otherwise deal in
real estate and personal property; to
buy and sell goods, wares and mer-
chandise; to buy and sell and other-
wise deal in stocks, bonds and other
obligations of any corporation, com-
pany, association, government or
municipality; to loan money on notes
or mortgage or other security, and to
invest money in such enterprises for
the purpose of investment as the di-
rectors may deem expedient.

Hoping you will give these matters
your careful consideration, we remain,
Yours truly,

THE FIDELITY INSURANCE CO.,
LTD.

By Emmett May.

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THE FIDELITY INSURANCE CO.,
LTD.

By Emmett May

Monday Evening News

The undersigned having been appointed agents of the above company are prepared to insure risks against fire on Stone and Brick Buildings, and on Merchandise stored therein on the most favorable terms. For particulars apply at the office of
F. A. SCHAEFER & CO., AGTS.

German Lloyd Marine Insurance Co. OF BERLIN.
Fortuna General Insurance Co. OF BERLIN.

The above Insurance Companies have established a general agency here, and the undersigned, general agents, are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.
F. A. SCHAEFER & CO., General Agents.

General Insurance Co. for Sea, River and Land Transport of Dresden.

Having established an agency at Honolulu and the Hawaiian Islands, the undersigned general agents are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.
F. A. SCHAEFER & CO., Agents for the Hawaiian Islands.

THE CLIFTON

T. E. JAMES, Proprietor.
Private apartments, en suite and single. Finest appointed and furnished house in Hawaii. Mosquito proof throughout. Hotel street, near Alaska.

YOUR SUGAR CROP

Depends on the right quantity and quality of Ammoniate. It has to be fed upon. Nitrogen (Ammonia) being the principal material removed from the soil by sugar cane.

A few dollars worth of

Nitrate of Soda

(The Standard Ammoniate.)
fed to each acre of growing cane will give surprising results.

Planters should read our Bulletin giving results of Agricultural Experiment Station trials. They are sent free. Send name on Post Card.

WILLIAM S. MYERS, Director
19-10 John St., New York, U. S. A.

Kodaks

Films and Paper
Just Received Ex "Siberia"

Developing and Printing Guaranteed

HOLLISTER DRUG CO.,
FORT STREET.

A Wonderful Discovery

This is the age of research and experiment. All nature, so to speak, is ransacked by science for the comfort and happiness of man. Science has indeed made giant strides during the century, and among the things it has discovered are modern medicine, the airplane, the automobile, the telephone, the electric light, the motion picture, the radio, and many other things. It is the duty of every citizen to keep up with the times, and to use the latest discoveries to his advantage. The only way to do this is by using the best products available. That is why we recommend the use of the products of the Hollister Drug Co. They are the best, and they are the only ones that are guaranteed.

COMMERCIAL NEWS

The inauguration, planting, meeting, appointment of new officials, consummation of the bond arrangements and finally the withdrawal of the Kohala water franchise from sale, were the principal events of a busy week which interested the commercial world mightily.

PLANTER'S MEETING.
The meeting of the Hawaiian Sugar Planter's Sugar Association occupied the first two days of the week. Some forty managers and plantation men generally attended the meetings and the discussions were full of interest. The valuable papers read at the meeting are to be published in the Planter's Monthly.

The statistics presented for the first time by Secretary Smith, showed the largest increase in sugar production since the inception of the industry in the islands. The total crop was 437,991 tons, an increase of 80,000 tons over last year. Hawaii as usual furnished the largest portion of the crop, with 170,000 tons, while Oahu turned out 121,000 tons in round figures.

THE MOANA HOTEL.
Although the Moana Hotel stockholders have decided to no longer bear the burden of the property, the popular hotel will not be closed. Just what will be done with the hotel will be decided at a meeting of the bondholders, which will probably be held this week. The Hawaiian Trust Co., as trustee yesterday sent to the bondholders the following notice of a resolution which had been passed by the stockholders: "Resolved that the secretary be instructed to notify the trustees of the bondholders that the Board of Directors and the stockholders find themselves unable to arrange for the amount of money necessary to pay the delinquent taxes and to pay the premium on the amount of insurance required by the terms of the trust deed."

The bonds outstanding against the company amount to \$100,000 all held in the islands, and the notice indicates no default in the interest.

THE KOHALA DITCH.
Governor Carter yesterday sent to Land Commissioner Boyd instructions to postpone the sale of the Kohala water license. This amounts to a withdrawal of the leases for the time being, as the sale was to have been held tomorrow morning. Governor Carter said yesterday that his objections to the terms of the lease were to the insufficiency of precautions to preserve the benefits to the small consumers, and also to lack of safeguards for the Territory's interests in connection with the net revenue clause. The Governor, however, favors the construction of the ditch, and says that he will endeavor to hasten the project in every way possible, conserving the public interest at the same time.

Land Commissioner Boyd says that he has always been opposed to sales under the conditions by which the Territory was to receive a percentage of the net profits instead of the gross revenue. He also attributes the fact of his failure to secure reappointment to the influences which opposed his views on the Kohala franchise matter. After the terms of the lease have been thoroughly investigated by the new Governor a new auction will be advertised. Gehr is now in Washington and evidently repeating his assertions before the Department of the Interior, as Secretary Hitchcock cabled to the Governor and asked if Gehr had any legal claims to the franchise.

MONEY WILL BE TIED UP AGAIN.
The completion of the arrangements for bringing to Honolulu the million dollar loan fund brings up again the question of the necessity for some action on the part of the legislature for the deposit of public funds. The million dollars will have to lay idle in the vaults of the treasury, without drawing interests, for at least six months or so, or until it is paid out for improvements. The four banks of the city have contracted to bring the money to Honolulu, agreeing to have the gold at the disposal of the government by January 15th, although it will be here in December. The coin is to be placed in the treasury as soon as it arrives and will have to stay there until it is paid out on contracts. As there is a prospect also of some of the items in the loan act being involved in litigation over the differences of opinion as to the rights of the county to spend loan money, a goodly portion of the million dollars may remain locked up for some time.

The four banks are made trustees for the government in bringing the money to Hawaii and as one banker remarked, they would all have been glad to transport the coin for nothing, had it been left on deposit subject to the orders of the treasurer. However, Supt. Holloway is going ahead and contracts will be let under the loan act, which will soon bring out a portion of the fund. The school buildings projected are to be among the first contracts made.

Treasurer Kepoika has rejected the offer of the United States Mortgage and Trust Co. to hold the money until needed, meanwhile paying three per cent interest, having found that he had no legal authority to accept what he considered a very advantageous offer.

THE STOCK MARKET.
The local stock market is fairly strong but apathetic. There are a lot of bidders willing and anxious to buy Ewa at twenty dollars a share, the ruling price last week, but the brokers can find no sellers at that figure. About four hundred shares changed hands about the middle of the month, which was evidently the total of the floating supply. Some Ewa is offered at \$21 and \$21 1/2 but the buyers want it only at par, and seem confident of bringing it out at \$20. Oahu Sugar Co. is down to \$22 1/2 a share which has been offered for some time without bringing any of the stock out. Fifteen shares changed hands at that figure during the week, although the stock has been held at \$25 all along. Ten Kahuku sold at \$20, the old figure.

The reciprocity treaty has not affected the local market, although there is still considerable uncertainty and guessing as to the future of the sugar market. The news from London of weakening in beet sugar makes some of the experts believe that cane may follow suit.

JAPAN AND RUSSIA.

It is strange that such an error should prevail in journalism as that war must be commenced by a formal Declaration. That the blunder is extant and wide spread is evidenced by the columns of many of our contemporaries on the mainland and in the Hawaiian Islands. Acts of war almost invariably precede Declarations of War. The greatest contests in history have been initiated, when ill-feeling and the inclination to hostilities between two nations had been developed, by some incident, in itself trifling, such as an accidental collision on a frontier or at sea. Very frequently, after preliminary engagements and before the acts of war had become so widespread, and numerous as to render settlement or compromise impossible, adjustments have been made between opposing nations and peace has been restored before it was too late.

No outsider can tell, perhaps even leading statesmen would be puzzled to determine, whether there will be a contest between Russia and Japan. Both nations are measurably Asiatic, and the progress of Japan within the last fifty years has been astonishing. She has been aptly described as "the Great Britain of the Orient." The Japanese are very cocky. Wherever they are, each one carries the whole empire in his breast, as has been evidenced by numerous feasts and by the advancing tide of returning Japanese sojourners from the Hawaiian Islands to their native land. Under all governments, the most arbitrary as well as the most liberal, the pressure of public opinion may render war inevitable.

But the statesmanship and the diplomacy of Japan are far more conservative than the impulses of her people, and settled public opinion is very different to frothy though patriotic sentiment. Every resource of negotiation will be exhausted before the Japanese Empire plunges into a life and death struggle with the semi-Asiatic giant, who has his headquarters at St. Petersburg. Russia has broken its word in Manchuria as it broke its word in Finland, but, though weakened by internal trouble and by issues in the Balkan States and handicapped by world-wide comprehension of her treachery, she is nevertheless steadily pressing her ancient policy in the far East, with as much persistency as though the Twentieth were the Eighteenth Century. There is, however, method in her apparent madness, and her vicious and treacherous policy conflicts with the imperial purposes of Great Britain and with the commercial expansion of Uncle Sam. The great fleet that is to be assembled speedily in these waters will have an eye on the "open door," not only on the Isthmus of Panama, but in the Manchurian province.

The chance for alliances is unquestionably an important, perhaps the governing, question in the controversy. Great Britain cannot aid Japan, under her treaty, if she copes only with a single power, and a war between Japan and Russia, each by itself, would be of doubtful issue. If France should be drawn to the side of Russia and Great Britain to the side of Japan, and especially if Uncle Sam should deem it expedient to throw his weight in favor of free commerce, the struggle would be of almost incomparable intensity, but the result would be a duplication of the end of the Crimean War, when Great Britain and France were allies. The Muscovite would be expelled from China, which would be opened to trade and irradiated by modern civilization. In view of the friendly relations lately cemented between King Edward and the foremost European powers, especially with France, it is likely that Great Britain and the French Republic hold the balance in the negotiations that are proceeding, and, while avoiding unnecessary entanglements, Uncle Sam is not altogether a disinterested spectator.

The situation is indefinite and embarrassing. It resembles a smoldering fire that may break out at any moment and yet may be extinguished before it does damage. The prevailing indications are towards amicable settlement. The havoc of great wars in this age, both on land and at sea, are so enormous that the combined interests and influence of mankind converge on peace. Sentiment has its proper relation to nationality, but fanatical considerations are now practically controlling. In this respect, neither Russia nor Japan occupies a commanding position. Each nation will think a good many times before it risks its future on its credit.

In the whole, journalistic wisdom is expressed by the terse French epitome of uncertainty—DOES VERTONA.

THAT FATAL NEGLECT.

A tremendous majority of the evils in the world arise from mere neglect. The worst diseases we suffer from and die of, such as cholera, typhoid, and dysentery, are all due to a neglect of the most elementary principles of hygiene. A bleeding wound, or a sudden sharp pain, we jump to relieve either of them in a twinkling. But a dull feeling in the head, loss of appetite, failure of force and snap, a little feverishness at night, gloom and depression about nothing in particular, a tendency to be irritable over trifles, why should you be anxious on these grounds? No doubt they will pass off like a drifting cloud and you will be all right again. We are apt to reason thus, and fancy these symptoms to have no serious meaning. Unchecked and only half understood the trouble creeps on until it culminates in local organic disease difficult to cure. The blood poisons, of which the feelings named are signs and warnings, may end in any one or more of a dozen things; lung, heart, liver or nervous disorders, or in some wasting process in which life melts away like snow before a warm wind. You may prevent it by using WAMPOL'S PREPARATION which will surely and speedily cleanse the blood of its deadly load, stimulate the appetite, infuse new power into the nerves, clear the foggy brain, set the digestive mill in full operation, send the doleful worries flying from the mind, and soon make all things new. But don't neglect yourself any longer, don't trust fortune. This effective remedy is palatable as honey and contains the nutritive and curative properties of Pure Cod Liver Oil, combined with the Compound Syrup of Hypophosphites and the Extracts of Malt and Wild Cherry. "It cannot disappoint." Acts from the first dose. Genuine sold by chemists here and throughout the world.

CHAS. BREWER CO.'S NEW YORK LINE

Ship Tillie E. Starbuck sailing from New York to Honolulu March 1st. FAVORABLE TARIFFS AT LOWEST RATES.

For freight rates apply to CHAS. BREWER & CO., 37 Kilby St., Boston, or C. BREWER & CO., LIMITED, HONOLULU.

The Land Office.

James W. Pratt will probably be appointed Commissioner of Public Lands as of December 1, but continue in charge of the tax assessor's office without pay until the end of the year. It is not so much the determination of tax suits as their initiation which has made the difficulty of decision. Many of the prosecutions for delinquent taxes are yet to be entered.

SAVING TIME.—She (bored to death by visitor, who has called unexpectedly). "Well, I am awfully glad you called. I really didn't expect you, you know."

Visitor: "Well, I was calling on dear Mrs. Smith opposite, and I thought I might as well kill two birds with one stone."—Judy (London).

GREAT GRUMBLERS

Grumbling Will Cease if Honolulu People Follow This Advice.

Backache is the first grumbling warning. The kidneys give it, if you heed it not.

Look out for trouble, it will surely find you.

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FOR BABY'S SKIN SCALP AND HAIR

Something for Mothers to Think About

EVERY CHILD born into the world with an inherited or early developed tendency to distressing, disfiguring humours of the skin, scalp, and blood, becomes an object of the most tender solicitude, not only because of its suffering but because of the dreadful fear that the disfiguration is to be lifelong and mar its future happiness and prosperity. Hence it becomes the duty of mothers of such afflicted children to acquaint themselves with the best, the purest, and most effective treatment available.

That warm baths with CUTICURA SOAP to cleanse the skin and scalp of crum and scales and gentle applications of CUTICURA Ointment to instantly allay itching, irritation, and inflammation, and soothe and heal, to be followed in the severe cases by mild doses of CUTICURA Eucalypti are all that can be desired for the alleviation of the suffering of skin-tormented infants and children and the comfort of worried mothers has been demonstrated in countless homes in every land. Their absolute safety, purity, and sweetness, instantaneous and grateful relief, speedy cure, and great economy leave nothing more to be desired by anxious parents.

Complete External and Internal Treatment for Every Humour. Consisting of CUTICURA SOAP, to cleanse the skin and scalp of crum and scales, and soothe the thickened cuticle, CUTICURA Ointment, to instantly allay itching and irritation, and soothe and heal, and CUTICURA Eucalypti, to cool and cleanse the blood. Sold throughout the world. Ask Dr. J. C. Browne & Co., Sydney, N. S. W. or Dr. J. C. Browne & Co., Ltd., Cape Town. "How to Cure Baby Humours," free. FORTNA DRUG AND CHEM. CO., Boston, U. S. A., Sole Props., CUTICURA REMEDIES.

DR. J. COLLIS BROWNE'S CHLORODYNE

IS THE ORIGINAL AND ONLY GENUINE. Coughs, Colds, Asthma and Bronchitis.

DR. J. COLLIS BROWNE'S CHLORODYNE.—Vice Chancellor SIR W. PAOZ WOOD stated publicly in court that DR. J. COLLIS BROWNE was undoubtedly the INVENTOR OF CHLORODYNE; that the whole story of the defendant, Freeman, was deliberately untrue, and re-asserted to "say it had been sworn to." See the Times, July 12, 1884.

DR. J. COLLIS BROWNE'S CHLORODYNE is a liquid medicine which assuages PAIN OF EVERY KIND, affords a calm, refreshing sleep, WITH-OUT HEADACHE, and INVIGORATES the nervous system when exhausted. It is the GREAT SPECIFIC FOR CHOLERA, DYSENTERY and DIARRHOEA.

The General Board of Health, London, reports that it ACTS as a CHARM: one dose generally sufficient. Dr. Gibbon, Army Medical Staff, Calcutta, states: "Two doses completely cured me of diarrhoea."

DR. J. COLLIS BROWNE'S CHLORODYNE is the true palliative in NEURALGIA, GOUT, CANCER, TOOTHACHE, RHEUMATISM.

DR. J. COLLIS BROWNE'S CHLORODYNE rapidly cures short attacks of EPILEPSY, SPASMS, COLIC, PALPITATION, Hysteria.

IMPORTANT CAUTION.—The immense sale of this Remedy has given rise to many Unscrupulous Imitations.

N. B.—Every Bottle of Genuine Chlorodyne bears on the Government Stamp the name of the inventor, DR. J. COLLIS BROWNE. Sold in bottles of 1/4, 1/2, 1, 2, 4, 8, 16, 32 and 64, by all chemists.

Sole Manufacturers, J. C. Daventry & Co., Ltd., London.

THE JOCKEY CLUB WOULD STAY AT KAPIOLANI PARK

The Hawaiian Jockey Club regents so as not to spoil the appearance of the park.

The Jockey Club is not a money-making institution. Since the fence was ordered torn down some years ago it has not made expenses. The money is taken in one day and paid out the next. The members each pay annual dues of twelve dollars and the money goes into purses for the races. The receipts at the gate have been very small since the fences were torn down, and the annual race day has been kept up only through the generosity of the members who provided for the purses.

"There is a good deal of sentiment against the order of the board about town, and some have even suggested it be made an issue of the next election. I don't favor that, though. I believe if a vote was taken the order would be overwhelmingly defeated."

"I can't see the use of taking the mile track for park purposes. The Legislature will never appropriate sufficient money to keep such a big tract in shape. I for one, will never vote again for an appropriation of \$1,000 per month for keeping up the park. It is too much."

"The Jockey Club has made no arrangements for a new race track. We still have two years to get other grounds, and then we have no money in the treasury. All the money is paid out in purses as fast as it accumulates. A little while back the late Colonel Cornwell offered us a tract on the Wai-aki road for \$11,000 but this was not even enough for a half mile track, and we could not have acquired the land adjacent, which was required. And besides we haven't the funds to undertake such a thing."

"I don't believe in the plan of the park commission in uprooting the big banyan and other trees, and planting the park in grass. There are not any too many trees in Kapiolani park as it is. I suppose that it will be the way though—plant the park in grass, then put up signs all over 'Keep off the Grass.' Then the next step will be to put up signs 'Keep off the Earth' and 'This Park for Millionaires Only.'"

COOPER IS CHOICE FOR HEALTH BOARD PRESIDENT

The Republican Executive Committee at a meeting held yesterday decided to recommend Dr. Charles B. Cooper, the present incumbent, for the presidency of the Board of Health.

The contest lay between Cooper and E. C. Winston, a medical and a business man. It was finally decided that the interests of the Territory demanded a professional man as the head of the health department, and the committee accordingly decided to recommend the reappointment of Dr. Cooper to Governor Carter.

It is not known what action was taken in relation to the surveyorship.

result in pneumonia. For sale by all
dealers and druggists. Benson, Smith
Co., Ltd., agents for Hawaii.

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twenty-one years, may be issued, blunder.—Maui News.

CO., AGENTS FOR HAWAII. 1901. 1902.

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